IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12284 of 2005

Between:

V.K.V.Reddy S/o.P.Chandra Reddy
A.P.S.R.T.C Alpiri Depot H./No.18-1-435, Bhavaninagar, Tirupathi.

..... PETITIONER

AND

1 The Regional Manager A.P. State Road Transport Corporation, Tirupathi.
2 The Divisional Manager A.P.State Road Transport Corporation, Tirupathi.
3 The Depot Manager Alipiri Depot, A.P.State Road Transport Corporation, Tirupathi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the 3rd respondent in not allowing the petitioner to join and discharge the light duties in view of the paralysis of the right hand of the petitioner as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents allow the petitioner to join the duties and perform light duties in view of the paralysis of the right hand of the petitioner in the interest of justice and to pass.

Counsel for the Petitioner: MR.BADRI.VENKATA REDDY

Counsel for the Respondents: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the stage of admission made the following ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the third respondent in not allowing him to discharge light duties in view of his health problems as he was affected with paralysis to his right hand. Therefore, he sought for a direction to the third respondent to allow him to join duty and perform light duties in view of his health conditions.

2. It is stated that the petitioner was appointed as a Driver in the respondent – Corporation and was discharging his duties. While so, he was affected with paralysis to his right hand and hospitalized and has undergone treatment. It is further stated that he is still taking treatment for his paralytically affected right hand. Therefore, the petitioner made a representation to the third respondent seeking favourable orders for allotting light duties to him as per the advice of the Doctor. It is also stated that the second respondent - Divisional Manager, APSRTC, Tirupathi issued orders on 11.11.2004 directing the Depot Manager to allow the petitioner to perform ground duties instead of sending him to on line duties for a period of two months. It is further stated that the petitioner is still continuing with the health problem and is undergoing treatment. Hence, he sought for a direction to continue him with light work for further a period till the treatment is completed.

3. Heard the learned counsel for the petitioner and the learned standing counsel for the respondent-Corporation.

4. As is evident from the proceedings of the second respondent – Divisional

Manager that the petitioner was affected with paralysis, it is appropriate to consider the representation of the petitioner for allotting light works till he is medically fit to discharge his duties as Driver. Therefore, the third respondent is directed to consider the representation of the petitioner and pass appropriate orders allotting light duties as per the advice of the Doctor.

5. The writ petition is accordingly disposed of at the admission stage.

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S. Ananda Reddy, J

Date: 21.06.2005

Note: Furnish CC in 3 days

B/o

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To

1 The Regional Manager A.P. State Road Transport Corporation, Tirupathi.
2 The Divisional Manager A.P.State Road Transport Corporation, Tirupathi.
3 The Depot Manager Alipiri Depot, A.P.State Road Transport Corporation, Tirupathi.

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